

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

February 27, 2004

DIVISION ONE

B163433 Swilley (Not for Publication)
v.
Southwest Airlines Co.

The order of dismissal is reversed and the matter is remanded to the trial court with directions to vacate that portion of its order sustaining the demurrer to plaintiff's negligence cause of action without leave to amend and to enter a new and different order sustaining the demurrer with leave to amend. Plaintiff is awarded costs on appeal.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
Mallano, J.

B155279 United States Auto Security, et al. (Not for Publication)
v.
Morrison, et al.

The judgment and orders are affirmed.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
Mallano, J.

February 27, 2004 (Continued)

DIVISION ONE (Continued)

B164324 California Factors & Finance Inc., et al. (Not for Publication)
v.
Commerce Funding Corporation, et al.

The judgment is affirmed. Respondent(s) to recover costs.

Ortega, J.

We concur: Spencer, P.J.
Mallano, J.

DIVISION TWO

Court convened at 9:00 a.m.

Present: Boren, P.J., Nott, J., Doi Todd, J., Ashmann-Gerst, J. and Jim Guzman and
Melvin Ashmon, Deputy Clerks.

Each of the following:

B166309 People v. Rubalcava
B166323 People v. James Garcia
B165772 People v. Mendoza
B164215 Sykes v. Sykes

Argument waived, cause submitted.

B164593 People
v.
Williams

Merits:

Argued by Michael Keller for respondent and by Tracy Dressner for
appellant. Submission deferred pending the filing of a letter brief by
Appellant. Cause to be submitted upon filing.

DIVISION TWO (Continued)

B167127 People
 v.
 Sanni

Merits:
Argued by Michael Keller for respondent and by Michael Evans for
appellant. Cause submitted.

B166878 People
 v.
 Agbabiaka

Merits:
Argued by Stephanie Miyoshi for respondent and by Carol Boyk for
appellant. Cause submitted.

B162984 People
 v.
 Wilson

Merits:
Argued by Allison Chung for respondent and by Stephen Lathrop for
appellant. Cause submitted.

B166746 Thompson, et al.
 v.
 Viva American Marketing, et al.

Merits:
Argued by Mike Arias for respondents and by Murray Robertson for
appellants. Cause submitted.

Presiding Justice Boren left the bench.

DIVISION TWO (Continued)

B167747 People
 v.
 Owens

Merits:
Argued by Heather Bushman for appellant and by Marilee Marshall for respondent. Cause submitted.

B166372 People
 v.
 Delgado

Merits:
Argued by Kyle Brodie for respondent and by Isaac Guillen for appellant. Cause submitted.

B165223 Benson, et al.
 v.
 Conseco, Inc., et al.

Merits:
Argued by Arnold Wang for appellants and by James Harris for respondents. Cause submitted.

B169009 Johnson
 v.
 Stevens

Merits:
Argued by Lamar Baker for respondent and by Mike Stevens for appellant. Cause submitted.

Court adjourned.

February 27, 2004 (Continued)

DIVISION THREE

B165827 People (Not for Publication)
v.
Ray

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

B161677 Ronald Skinner, et al.
v.
Raffaella De Laurentiis, et al.

Filed order modifying opinion. (No change in the judgment)

DIVISION FOUR

B164525 Gill (Not for Publication)
v.
Whitlock

The order of dismissal is reversed. Appellant is to have his costs on appeal.

Epstein, Acting P.J.

We concur: Hastings, J.
Curry, J.

DIVISION FOUR (Continued)

B162481 Lockridge (Not for Publication)
 v.
 Cooper

The judgment is affirmed. Respondent shall have her costs on appeal.

Hastings, Acting P.J.

We concur: Curry, J.
 Woods, J. (Assigned)

B168133 People (Not for Publication)
 v.
 Hernandez

The judgment is affirmed.

Hastings, J.

We concur: Epstein, Acting P.J.
 Curry, J.

B169322 People (Not for Publication)
 v.
 Barraza

The judgment is affirmed.

Epstein, Acting P.J.

We concur: Hastings, J.
 Curry, J.

DIVISION EIGHT

B151533 Mobile Medical Diagnostics, Inc. (Not for Publication)
v.
Stanley Shapiro, et al.

The judgment and the order amending the judgment are affirmed. No appeal lies from the order granting summary adjudication of Mobile Medical's causes of action for fraud, construction fraud, violation of the Uniform Trade Secrets Act and breach of fiduciary duty. Shapiro is to recover his costs on appeal.

Boland, J.

I concur: Cooper, P.J.
I concur: Rubin, J. (Opinion)

B156427 Sherman Villas Homeowners Association (Not for Publication)
v.
Azargin, et al.

The order of the trial court denying the motions to vacate the defaults is affirmed. The order of the trial court denying the motion to strike the default judgment is reversed. The matter is remanded to the trial court to make further evidence in the prove-up hearing. Respondent is awarded costs on appeal.

Cooper, P.J.

We concur: Rubin, J.
 Boland, J.

B165431 People (Not for Publication)
v.
Carter

The judgment is affirmed.

Rubin, Acting P.J.

We concur: Boland, J.
 Flier, J.

DIVISION EIGHT (Continued)

B160741 Gene Harris, et al.
 v.
 Kathleen Connell

Filed order certifying opinion for publication.

B163106 Alden
 v.
 Nelson

Filed order denying petition for rehearing.